
HOUSE BILL No. 1376

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-9-7.

Synopsis: Prophetstown state park. Extends by ten years the period during which 50% of the innkeeper's tax revenue in Tippecanoe County may be allocated to the department of natural resources (DNR) for the development of projects in Prophetstown state park. Provides that such revenue may be distributed directly to the DNR and allows the DNR to use up to 25% of the revenue received to make grants to: (1) a nonprofit corporation for use in the state park; and (2) a community development corporation for recreation or tourism projects in the county. Requires the DNR to enter into a memorandum of understanding with the organizations eligible for a grant to provide for how the grant money will be distributed between the organizations. Changes population parameters to reflect changes in the 2000 decennial census.

Effective: July 1, 2002.

Scholer, Klinker

January 15, 2002, read first time and referred to Committee on Ways and Means.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1376

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-9-7-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2002]: Sec. 1. This chapter applies to ~~a county~~
3 ~~having a population of more than one hundred twenty-nine thousand~~
4 ~~(129,000) but less than one hundred thirty thousand six hundred~~
5 ~~(130,600); a county having a population of more than one hundred~~
6 ~~forty-eight thousand (148,000) but less than one hundred seventy~~
7 ~~thousand (170,000).~~

8 SECTION 2. IC 6-9-7-7 IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2002]: Sec. 7. (a) The county treasurer shall
10 establish an innkeeper's tax fund. The treasurer shall deposit in that
11 fund all money received under section 6 of this chapter.

12 (b) Money in the innkeeper's tax fund shall be expended in the
13 following order:

14 (1) Through July 1999, not more than the revenue needed to
15 service bonds issued under IC 36-10-3-40 through IC 36-10-3-45
16 and outstanding on January 1, 1993, may be used to service
17 bonds. The county auditor shall make a semiannual distribution,

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at the same time property tax revenue is distributed, to a park and recreation district that has issued bonds payable from a county innkeeper's tax. Each semiannual distribution must be equal to one-half (1/2) of the annual principal and interest obligations on the bonds. Money received by a park and recreation district under this subdivision shall be deposited in a special fund to be used to service the bonds. During August 1999 the money that had been set aside to cover bond payments that remains after the bonds have been retired plus sixty percent (60%) of the tax revenue during August 1999 through December 1999 shall be distributed to the county treasurer to be used by the county park board, subject to appropriation by the county fiscal body.

(2) To the commission for its general use in paying operating expenses and to carry out the purposes set forth in section 3(a)(6) of this chapter. However, the amount that may be distributed under this subdivision during any particular year may not exceed the proceeds derived from an innkeeper's tax of two percent (2%) through December 1999 and fifty percent (50%) of the tax revenue beginning January 2000 and continuing through December ~~2004~~ **2014**.

(3) For the period beginning January 2000 through December ~~2004~~ **2014**, fifty percent (50%) of the revenue to the ~~county treasurer to be credited by the treasurer to a special account~~ **department of natural resources** for the development of projects in ~~or near the state park on~~ the county's largest river, including its tributaries (referred to as a qualified project). ~~Upon the submission of a written claim by the department of natural resources requesting funds for a qualified project and to the extent there is money in the special account, the county council shall appropriate and the county auditor shall issue warrants to pay the claim. The department of natural resources may use not more than twenty-five percent (25%) of the revenue received under this subdivision to make grants to:~~

(A) a nonprofit corporation that leases land in the state park described in this subdivision for the nonprofit corporation's use in noncapital projects in the state park; and

(B) a community development corporation that serves a metropolitan area in the county that includes:

(i) a city having a population of more than fifty-five thousand (55,000) but less than fifty-nine thousand (59,000); and



(ii) a city having a population of more than twenty-eight thousand seven hundred (28,700) but less than twenty-nine thousand (29,000);

for the community development corporation's use in recreation or tourism projects in the county.

Before making any grant under this subdivision, the department of natural resources shall enter into a memorandum of understanding with a nonprofit corporation described in clause (A) and a community development corporation described in clause (B) that describes how the grant money will be distributed between the eligible organizations. Money in the special account received by the department of natural resources under this subdivision and not awarded as a grant under this subdivision may not be used only for any other purposes. The developing and operating the state park described in this subdivision. Money credited to the account received by the department of natural resources under this subdivision that has not been used for qualified projects by January 1, 2005, 2015, shall be transferred to the commission to be used to make grants as provided in subsection (c)(2).

(c) Money in the innkeeper's tax fund subject to appropriation by the county council shall be allocated and distributed after December 2004 2014 as follows:

(1) Fifty percent (50%) of the revenue to the commission for the commission's general use in paying operating expenses and to carry out the purposes set forth in section 3(a)(6) of this chapter.

(2) The remainder to the commission to be used solely to make grants for the development of recreation and tourism projects. The commission shall establish and make public the criteria that will be used in analyzing and awarding grants. At least ten percent (10%) but not more than fifteen percent (15%) of the grants may be awarded for noncapital projects. Grants may be made only to the following entities upon application by the executive of the entity:

(A) The county for deposit in a special account.

(B) The most populated city in the county for deposit in a special account.

(C) The second most populated city in the county for deposit in a special account.

(D) The Tippecanoe County Wabash River parkway commission, but only so long as the interlocal agreement



- 1 among the political subdivisions listed in clauses (A) through
2 (C) is in effect. Money received by the parkway commission
3 shall be segregated in a special account.
4 (d) Money credited to special accounts under subsection (c)(2) shall
5 be used only for recreation or tourism projects, or both.

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